

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTIAN DAVID ENTO,
Plaintiff,
v.
STATE OF ARKANSAS, et al.,
Defendant.

1:23-cv-00391-HBK (PC)

ORDER DENYING WITHOUT PREJUDICE
PLAINTIFF'S MOTION TO PROCEED *IN*
FORMA PAUPERIS AND DIRECTING
PLAINTIFF TO FILE FULLY COMPLETED
APPLICATION OR PAY FILING

TWENTY-ONE DAY DEADLINE

(Doc. No. 2)

Plaintiff Christian David Ento initiated this action by filing a pro se civil rights complaint under 42 U.S.C. § 1983 on March 16, 2023 while detained in the Rio Cosumnes Correctional Center. (Doc. No. 1). Plaintiff concurrently filed an application to proceed *in forma pauperis* under 28 U.S.C. § 1915. (Doc. No. 2). Plaintiff's application, however, fails to comply with § 1915(a)(1)(2). Specifically, in addition to filing an affidavit of indigency, a prisoner "shall submit a certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the six-month period immediately proceeding the filing of the complaint . . . obtained from the appropriate official of each prison at which the prisoner is or was confined." *Id.* Here, Plaintiff did not submit a six-month statement and the "Certificate" portion of Plaintiff's IFP

1 application is blank. (*See* Doc. No. 2 at 2). Because the application is incomplete and does not
2 include the required certified six-month prisoner account statement, the application will be denied
3 without prejudice. If Plaintiff wishes to prosecute this action, he must submit a fully completed
4 application accompanied by a six-month statement.

5 Accordingly, it is **ORDERED**:

6 1. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 2) is DENIED without
7 prejudice to Plaintiff submitting a fully completed application.

8 2. Within twenty (21) days of receipt of this order, Plaintiff shall either: (1) complete the
9 attached application to proceed *in forma pauperis* in its entirety with an authorized correctional
10 official completing the "Certificate" section of the application, or by filing a prison trust account
11 statement reflecting the 6 months of transactions preceding the filing of the complaint; or (2) pay
12 the \$402.00 filing fee for this action.

13 3. Absent good cause, the Court will not grant any motions for extension of time.

14 4. Failure to comply with this order will result in a recommendation without further
15 notice that this action be dismissed for failure to prosecute and/or comply with the court's orders.

16 5. The Clerk is directed to include a blank application to proceed *in forma pauperis* with
17 this order.

18
19 Dated: March 20, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE